

IC 14-32-7

Chapter 7. Duties of Department

IC 14-32-7-1

Policy of department

Sec. 1. (a) The general assembly recognizes the following:

- (1) That the land resource of Indiana, including the principal elements of geology, landscape, and soils, is one (1) of the basic natural resources of Indiana.
- (2) That an ever increasing demand upon the fixed and limited land resource is resulting from a growing population, with the accompanying expansions in commercial, industrial, transportation, recreation, and cultural development and the continuing need for an adequate agricultural base for the production of food and fiber.
- (3) That conservation of the land resource is essential to protect and promote the public health, safety, and welfare.
- (4) That the task of conservation can only be accomplished through a factual knowledge and understanding of the land resource.

(b) Therefore, it is the policy of the general assembly that the state promote and participate in the conservation of the land resource of Indiana by doing the following:

- (1) Providing new or expanded means for the securing, development, and furnishing to land use decision makers of adequate factual knowledge concerning the geology, landscape, and soils of Indiana, including their potentials, limitations, and interrelationships, in the manner set forth in this chapter.
- (2) Strengthening the capabilities of local soil and water conservation districts.
- (3) Expanding the level of small watershed planning for soil and water conservation measures.

As added by P.L.1-1995, SEC.25. Amended by P.L.136-1997, SEC.36.

IC 14-32-7-2

"Geology" defined

Sec. 2. As used in this chapter, "geology" means the study of the following:

- (1) Earth materials, which are minerals, rocks, water, and soil.
- (2) The processes that have formed earth materials.

As added by P.L.1-1995, SEC.25.

IC 14-32-7-3

"Land conservation" defined

Sec. 3. As used in this chapter, "land conservation" means the wise use of land:

- (1) for the satisfaction of human needs; and
- (2) based upon knowledge and understanding of the land's capabilities and limitations.

As added by P.L.1-1995, SEC.25.

IC 14-32-7-4

"Landscape" defined

Sec. 4. As used in this chapter, "landscape" means the aggregate of all factors and features that constitute the total visual and perceptive impact of a given area of the earth's surface upon the human senses.

As added by P.L.1-1995, SEC.25.

IC 14-32-7-5

"Soil" defined

Sec. 5. As used in this chapter, "soil" means the surface layer of the earth that serves as a natural medium for the growth of plant life.

As added by P.L.1-1995, SEC.25.

IC 14-32-7-6

Administration and coordination of duties and responsibilities

Sec. 6. (a) The division of soil conservation:

(1) shall administer and coordinate the duties and responsibilities of the department under the land resource programs authorized by this chapter; and

(2) in carrying out its duties under subdivision (1), may work in cooperation with the following:

(A) Federal and state agencies.

(B) Local governmental agencies involved in land use planning and zoning.

(C) Any person, firm, institution, or agency, public or private, having an interest in land conservation.

(b) The department may employ the personnel and provide facilities and services that are necessary to carry out the department's duties and responsibilities under this chapter.

As added by P.L.1-1995, SEC.25. Amended by P.L.136-1997, SEC.37.

IC 14-32-7-7

Urban geology survey

Sec. 7. (a) As used in this section, "urban geology survey" means a systematic scientific identification, inventory, and mapping of the earth materials of a given area that sets forth the capabilities, potentials, and limitations of the earth materials for human needs.

(b) The department shall use the money appropriated by the general assembly to initiate and carry out a program of urban geology surveys, together with other geologic investigations, for Indiana to develop and present the geologic data and information necessary to a coordinated land conservation program that will promote sound land use decisions.

As added by P.L.1-1995, SEC.25. Amended by P.L.136-1997, SEC.38.

IC 14-32-7-8

Landscape survey

Sec. 8. (a) As used in this section, "landscape survey" means a systematic scientific identification, inventory, and mapping of the features of the earth's surface that serve to constitute the landscape of a given area, including key factors such as the following:

- (1) Land form.
- (2) Vegetation.
- (3) Wildlife.
- (4) Physical characteristics.
- (5) Visual perception.
- (6) Historical and cultural sites.

(b) The department shall use the money appropriated by the general assembly to initiate and carry out a program of landscape surveys for Indiana to develop and present the surficial landscape data and information necessary to promote wise land use decisions.
As added by P.L.1-1995, SEC.25. Amended by P.L.136-1997, SEC.39.

IC 14-32-7-8.5

Soil survey

Sec. 8.5. (a) As used in this section, "soil survey" means a systematic scientific identification, inventory, and mapping of the soils of a given area that sets forth the capabilities, potential, and limitations of the soils in the satisfaction of human needs.

(b) The department shall use the money appropriated by the general assembly to implement and supplement a program of modern soil surveys for Indiana that will, within the shortest practicable time, provide a modern soil survey for each county as an essential tool in land conservation.

As added by P.L.136-1997, SEC.40.

IC 14-32-7-9

Support and assistance to local soil and water conservation districts

Sec. 9. The department shall provide more support and assistance to the local soil and water conservation districts by:

- (1) granting to the districts the additional money that is appropriated by the general assembly; and
- (2) increased coordination and consultative services;

to obtain increased participation by the districts in the development of improved local land use practices and decisions.

As added by P.L.1-1995, SEC.25. Amended by P.L.136-1997, SEC.41.

IC 14-32-7-10

Appropriations; uses

Sec. 10. The department shall use the money appropriated by the general assembly to expand the small watershed planning program as carried out in cooperation with the Natural Resources

Conservation Service of the United States Department of Agriculture under 16 U.S.C. 1001 et seq., to reduce the accumulation of approved watershed planning requests and expedite the realization of the multiple benefits of this soil and water conservation program.

As added by P.L.1-1995, SEC.25.

IC 14-32-7-11

Coordination and scheduling of urban geology survey program and landscape survey program

Sec. 11. The department shall coordinate and schedule the programs authorized by sections 7 through 8 of this chapter to provide, as nearly as practicable, for concurrent completion and furnishing of the results of each program for each selected area study unit.

As added by P.L.1-1995, SEC.25.

IC 14-32-7-12

Duties of soil conservation division

Sec. 12. (a) As used in this section, "river" includes streams and the tributaries of rivers.

(b) The division of soil conservation shall do the following:

(1) Perform all administrative duties required by the rules of the board.

(2) Provide professional assistance to districts in planning, coordinating, and training for the following:

(A) Adult soil and water conservation education.

(B) Natural resources conservation information programs for elementary and secondary schools.

(3) Provide professional soil conservation technical assistance to districts.

(4) Provide nonagricultural soils interpretive and erosion control expertise on a regional basis.

(5) Assist the districts and other federal, state, and local entities in encouraging and monitoring compliance with those aspects of the programs that are related to erosion and sediment reduction.

(6) Administer a cost-share program for installation of erosion control structural measures on severely eroding cropland and for conversion of highly erodible land from crop production to permanent vegetative cover.

(7) Administer a lake and river enhancement program to do the following:

(A) Control sediment and associated nutrient inflow into lakes and rivers.

(B) Accomplish actions that will forestall or reverse the impact of that inflow and enhance the continued use of Indiana's lakes and rivers.

As added by P.L.1-1995, SEC.25. Amended by P.L.136-1997, SEC.42.

IC 14-32-7-13

Administration

Sec. 13. The department shall administer this article subject to the direction of the board.

As added by P.L.1-1995, SEC.25.